

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's election with traverse of Species I (figures 1 – 11 and Claims 1 – 20) in the reply filed on July 23, 2008 is acknowledged. The traversal is on the ground(s) that "Figure 31 is not actually directed towards a species of the invention" because each of the independent claims recite the use of a peer-to-peer communications system. This is not found persuasive.
2. In the original Species requirement mailed July 27, 2007, the Examiner indicated the existence of three species and in the Reply filed September 27, 2007, Applicant elected Species I (Figure 2 and Claims 1 – 20, 34 – 42, and 57 – 63) for examination. These claims, as they were originally filed, appeared to correspond to the elected species. However, in the amendment filed March 20, 2008, Applicant amended the elected claims towards the non-elected system of the Figure 31. To prevent a further switching of embodiments in subsequent amendments, the current Examiner felt it was necessary to clarify the species requirement (see Species requirement, mailed May 28, 2008).
3. Species V (figure 31) deals with a peer-to-peer communications system that does not require the use of a camera server. On the hand, Species I – IV each require the use of a camera server. Specifically, Species I deals with capture and transmission of image data. Species II deals with image processing. Species III deals with image display. Species IV deals with camera synchronization. The features of one of the species are patentably distinct over the features of each of the other the species. Hence, for these reasons alone, the species requirement is still deemed proper and is therefore made FINAL.

Art Unit: 2622

4. Albeit, it is further noted that Applicant has reelected Species I. The previous Species I only included a single figure of the current Species I. Therefore, it appears that Applicant has continued to pursue the invention shown figures 1 – 11. However, Applicant has only elected and presented claims that appear to be exclusively directed towards Species V. For this reason, the Amendment filed March 20, 2008 now appears to be non-responsive.

5. Since the Amendment and Election both appear to be *bona fide*, Applicant is given a TIME PERIOD of **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the correction in order to avoid abandonment. Applicant is reminded that any independent claims presented for examination should be directed towards Species I (figures 1 – 11) or should be generic to a plurality of species that includes Species I.

### ***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Justin P Misleh whose telephone number is 571.272.7313. The Examiner can normally be reached on Monday through Friday from 8:00 AM to 5:00 PM.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Sinh Tran can be reached on 571.272.7564. The fax phone number for the organization where this application or proceeding is assigned is 571.273.8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

Art Unit: 2622

applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**/Justin P. Misleh/  
Primary Examiner  
Group Art Unit 2622  
October 10, 2008**